

ZB# 80-33

Peak Technical Industries

3-1-29

80-33 - Peak Technical Industries - (area variance)

Public Hearing:

Nov. 24, 1980

Needed: Side Yard Variance

(Notify County) [✓] _{sent}

NE zone

(Fee paid)

file w/ T.C.

GENERAL RECEIPT

4487

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

RECEIVED OF

Nov. 25 1980
Peak Technical Corp. \$ 50.00
Fifty and 00/100 DOLLARS

FOR

Variance Application 80-33

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>Ch. 50.00</u>		

BY

Pauline H. Townsend cm
Town Clerk.

TITLE

Williamson Law Book Co., Rochester, N. Y. 14609

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----x
In the Matter of the Application of
PEAK TECHNICAL CORP.,
#80-33.
-----x

DECISION GRANTING
AREA VARIANCES

WHEREAS, PEAK TECHNICAL CORP., 594 Little Britain Road, Town of New Windsor, New York, through its agent KARL SCHMIDT, has made application before the Zoning Board of Appeals for area variances for the purposes of constructing an addition to the rear of the above property located in an NC (Neighborhood-Commercial) zone; and

WHEREAS, a public hearing was held on the 24th day of November, 1980 before the Zoning Board of Appeals at the Town Hall, 555 Union Avenue, New Windsor, N. Y.; and

WHEREAS, the applicant was represented by Karl Schmidt, President of PEAK TECHNICAL CORP.; and

WHEREAS, the application was opposed by an adjacent property owner by correspondence dated November 21, 1980; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also required by law.

2. The application requested 32 ft. front yard variance and 7 1/2 ft. side yard variance for construction of an addition to the existing building.

3. The evidence shows that the variances sought will not alter the general character of the neighborhood.

4. The evidence shows that the variances sought will result in no appreciable additional population or strain on existing governmental facilities.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

1. The applicant will encounter practical difficulty if the variances are not granted.

2. The proposed area variances will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grant a 32 ft. front yard variance and a 7 1/2 ft. side yard variance as per plans and specifications submitted.

BE IT FURTHER, RESOLVED that the Secretary of the Zoning Board of Appeals transmit a copy of this decision to the Town Planning Board, Town Clerk and applicant.

Dated: December 8, 1980.

Vincent Brown
Chairman

Zoning Board
11/13/80

PUBLIC NOTICE OF
HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
PLEASE TAKE NOTICE that the
Zoning Board of Appeals of the
TOWN OF NEW WINDSOR New
York will hold a Public Hearing
pursuant to Section 48-33A of the
Zoning Ordinance on the follow-
ing proposition:

Appeal No. 33
Request of PEAK TECHNICAL
INDUSTRIES

for a VARIANCE of the reg-
ulations of the Zoning Ordinance
to permit construction of
addition to rear and side parcel
being a VARIANCE of Section
48-12 Table of Bulk Regula-
tions Col. 6 & 7 for property sit-
uated as follows:

594 Little Britain Road - Route
207 - Town of New Windsor,
N.Y.

SAID HEARING will take place
on the 24th day of November,
1980, at the New Windsor Town
Hall, 555 Union Avenue, New
Windsor, N.Y., beginning at 8
o'clock P.M.

VINCENT BIVONA
Chairman
By Patricia Delio,
Secretary

State of New York

County of Orange, ss:

EVERETT Smith, being duly sworn
disposes as says that he is
PRESIDENT....of the E.W. Smith
Publishing Company, Inc., publisher
of The Sentinel, a weekly newspaper
published and of general circulation
in the Town of New Windsor, and that
the notice of which the annexed is
a true copy was published...ONCE.....
in said newspaper, commencing on
the ..13...day of...Nov...A.D., 1980,
and ending on the ..13...day of...Nov...
A.D., 1980

Everett W. Smith
Subscribed and sworn to before me
this...15...day of...Dec...1980.....

Robert A. McCullough
Notary Public of the State of New York
County of Orange.

MY COMMISSION EXPIRES MARCH 30, 1982

(914) 565-8550

November 25, 1980

PEAK TECHNICAL CORP.
594 Little Britain Road
New Windsor, N. Y. 12550

RE: APPLICATION FOR AREA VARIANCE

Attn: Mr. Karl Schmidt, President

Dear Mr. Schmidt:

This is to confirm that your above application for a variance was granted at the November 24th meeting of the Zoning Board of Appeals.

Formal decision will be drafted at a later date and acted upon. You will receive a copy by return mail.

Very truly yours,

PATRICIA DELIO, Secretary
New Windsor Zoning Board of Appeals

/pd

cc: Town Planning Board
Town Building Inspector

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

80-33
(Number)

(Date) Nov. 12, 1980

I. ✓ Applicant information:

- (a) PEAK TECHNICAL CORP., 594 LITTLE BRITAIN ROAD, TOWN OF NEW WINDSOR, N. Y.
(Name, address and phone of Applicant) 12550 (914) 564-6170
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☒ Area variance
- ☐ Sign variance
- ☐ Special permit

✓ III. Property information:

- (a) NC 3 1 29 195.19x251.47x193.61
(Zone) (Address) (S.B. L) (Lot size)
- (b) What other zones lie within 500 ft.? R-4
- (c) Is a pending sale or lease subject to ZBA approval of this application? no
- (d) When was property purchased by present owner? June 19, 1974
- (e) Has property been subdivided previously? no When? _____
- (f) Has property been subject of variance or special permit previously? no When? _____

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

80-33
(Number)

(Date) Nov. 12, 1980

I. ✓ Applicant information:

- (a) PEAK TECHNICAL CORP., 594 LITTLE BRITAIN ROAD, TOWN OF NEW WINDSOR, N. Y.
(Name, address and phone of Applicant) 12550
(914) 564-6170
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

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(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? R-4
- (c) Is a pending sale or lease subject to ZBA approval of this application? no
- (d) When was property purchased by present owner? June 19, 1974
- (e) Has property been subdivided previously? no When? _____
- (f) Has property been subject of variance or special permit previously? no When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? yes. If so, when 10/16/80
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. Yes. At present skids and misc. is stored outside. Proposed construction would remedy this problem.

☐ IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to allow

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

☒ V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48, Table 12, Column 6 & 7

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
✓Reqd. Front Yard <u>40'</u>	<u>8'</u>	<u>32'</u>
✓Reqd. Side Yards <u>5/35</u>	<u>6-1/2</u>	<u>7-1/2</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.



V.

Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48, Table 12, Column 6 & 7

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
✓ Req'd. Front Yard 40'	8'	32'
✓ Req'd. Side Yards 5/35	6-1/2	7-1/2
Req'd. Rear Yard		
Req'd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Development Coverage* %	%	%
Floor Area Ratio**		

* Residential districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

Practical difficulty because: (1) Cost to construct or lease larger facility is ~~impractical~~ and any move could result in a loss of our labor force and jobs to area residents; (2) Movement inside present plant is restricted by lack of adequate dry storage area; (3) Unsightly skids and misc. will remain outside.

Alternate efforts to variance request were: Considered purchase of new site -- too expensive as mentioned in #1 above. Attempted to purchase portion of adjacent land -- not available.

☐ VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

is impractical and any move could result in a loss of our labor force and jobs to area residents; (2) Movement inside present plant is restricted by lack of adequate dry storage area; (3) Unsightly skids and misc. will remain outside. Alternate efforts to variance request were: Considered purchase of new site -- too expensive as mentioned in #1 above. Attempted to purchase portion of adjacent land -- not available.

☐ VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

☐ VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.

☐ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

☒ IX. Attachments required:

- ✓ ☐ Copy of letter of referral from Building and Zoning Inspector.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☐ Copy of tax map showing adjacent properties
- ✓ ☐ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.

11-12-80 ☐ Check in amount of \$ _____ payable to Town of New Windsor.

Photos of existing premises

- Page _____ Column _____
- (b) Describe in detail the use and structures proposed for the special permit.



VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)



IX. Attachments required:

- ✓ ☒ Copy of letter of referral from Building and Zoning Inspector.

☐ Copy of contract of sale, lease or franchise agreement.

☐ Copy of tax map showing adjacent properties

- ✓ ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.

☐ Copy(ies) of sign(s) with dimensions.

11-12-80 ☐ Check in amount of \$ _____ payable to Town of New Windsor.

Photos of existing premises which show all present signs and landscaping.

All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.

☐ Other

X. ✓ AFFIDAVIT

Date Nov. 12, 1980.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

C. Louise Schmidt
(Applicant)

Sworn to before me this

12th day of November, 1980.

Patricia Delio
PATRICIA DELIO
Notary Public, State of New York
Appointed in Orange County
My Commission expires Mar. 30, 1982.

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

Special Permit is _____

(c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

C. Louise J. Schmidt
(Applicant)

Sworn to before me this

12th day of November, 1980.

Patricia Delio

PATRICIA DELIO
Notary Public, State of New York
Appointed in Orange County
My Commission expires Mar. 30, 1982.

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

Special Permit is _____

(c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

11/24 - Peak Technical - Public Hearing

Name:

Address:

Karl Schmitt

Box 54 ROUTE 208 WALLKILL

William Stahl

PRESLER RD. WALLKILL N.Y.

D. J. Hanna

20 Fryer Ridge Rd
Munkhous, N.Y.

E. S. Charland

595 Rte 207



COUNTY OF ORANGE

LOUIS HEIMBACH, County Executive

Department of Planning

124 MAIN STREET (1887 Building)

GOSHEN, NEW YORK 10924

TEL. (914) 294-5151

Peter Garrison, Commissioner

Richard S. DeTurk, Deputy Commissioner

November 20, 1980

Mr. Vincent Bivona, Chairman
Town of New Windsor Zoning Board of Appeals
Town Hall
New Windsor, New York 12550

Re: Variances - Peak Technical Industries
Little Britain Road
File No: NWT-14-80M

Dear Mr. Bivona:

We have reviewed the application in accordance with the provisions of Section 239, L and N, Article 12-B of the General Municipal Law of the State of New York.

We hereby return the matter for final local determination.

Very truly yours,

Peter Garrison
Commissioner of Planning

Reviewed by: Joel Shaw
Senior Planner

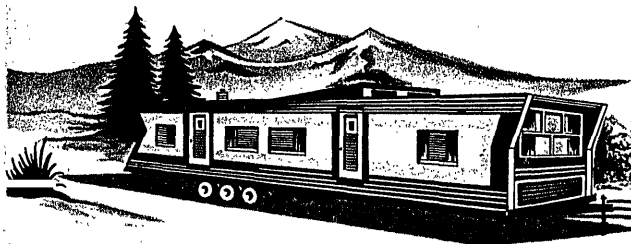
PG/mh

RECEIVED
ATTORNEY'S OFFICE/204
TOWN OF NEW WINDSOR

NOV 24 1980

BY:

MOBILEHOME LIVING IS HAPPY LIVING



Walter's Trailer Village, Inc.

590 Little Britain Rd.
NEW WINDSOR, N. Y. 12550

914-564-6430

Nov. 21, 1980.

Zoning Board Of Appeals
Town of New Windsor, N.Y.

Concerning the Public Hearing Pursuant to Section 48-33A of the
Zoning Ordinance on the following proposition:

Appeal No. 33

Request of Peak Technical Industries for a Variance to permit
construction of addition to rear of the side of Parcel being
a Variance section 48-12 -Table of Bulk Regulations -Col.6 & 7
for property situated as follows:

594 Little Britain Rd., Route 207, Town of New Windsor, N.Y.

Said Hearing will take place on the 24th Day of November, 1980 at
the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beg-
inning 8 O'Clock P. M. Vincent Bivona, Chairman.

Since, I cannot attend this meeting I vote against this
variance and will not approve any building that will infringe on
my property in any way. Already cars are parked on my land since
they have not become a nuisance have let them park on my land but
no more building any closer than what they have already done.

RECEIVED
ATTORNEY'S OFFICE / 26A
TOWN OF NEW WINDSOR

NOV 20 1980

BY: Patricia Delis

Sincerely,

Irene Jacobi.

Irene Jacobi

TO: TOWN PLANNING BOARD
FROM: ZONING BOARD OF APPEALS
SUBJECT: PUBLIC HEARINGS BEFORE ZBA - November 24, 1980
DATE: November 19, 1980

There will be three (3) public hearings to be heard before the ZBA on Monday evening, November 24, 1980, starting at 8 p.m.:

(See attached agenda sheet)

I have enclosed herewith copies of the pertinent applications together with a copy of the public hearing notices in each matter.

Pat

/pd

Attachments

cc: Howard Collett, Building/Zoning Inspector

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No. Date OCT 16, 1980

To PEAK TECHNICAL INDUSTRIES
594 LITTLE BRITAIN RD.
NW

PLEASE TAKE NOTICE that your application dated OCT 16, 1980
for permit to CONSTRUCT ADDITIONS
at the premises located at 594 LITTLE BRITAIN RD.

is returned herewith and disapproved on the following grounds:

REQUIRE SIDE YARD 15 FEET — PLAN SHOWS 6½'
7½' VARIENCE REQUIRED
FRONT YARD ~~REQUIRES~~ 40' PLAN SHOWS 8'
32' VARIENCE REQUIRED

Howard R. Coletti
Building Inspector

80-33

Call Karl Schmidt.
564-6176

(2)

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

Standby -
Oct. 27th
prelim. meeting

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date Oct 16, 1980

To PEAK TECHNICAL INDUSTRIES (owners)
594 LITTLE BRITAIN RD. (3-1-29)
NW

PLEASE TAKE NOTICE that your application dated Oct 16, 1980
for permit to CONSTRUCT ADDITIONS
at the premises located at 594 LITTLE BRITAIN RD.

is returned herewith and disapproved on the following grounds:

REQUIRE SIDE YARD 15 FEET — PLAN SHOWS 6 1/2'
7 1/2' VARIANCE REQUIRED
FRONT YARD REQUIRES 40' PLAN SHOWS 8'
32' VARIANCE REQUIRED

NC zone

Harvard R. D.
Building Inspector

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-33A of the Zoning Ordinance on the following proposition:

Appeal No. 33

Request of PEAK TECHNICAL INDUSTRIES

for a VARIANCE ~~SPECIAL PERMIT~~ of
the regulations of the Zoning Ordinance to
permit construction of addition to rear
and side of parcel

being a VARIANCE ~~SPECIAL PERMIT~~ of
Section 48-12 - Table of Bulk Regulations-Cols. 6 & 7
for property situated as follows:

594 Little Britain Road - Route 207, Town of
New Windsor, N. Y.

SAID HEARING will take place on the 24th day of
November, 19 80, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
8 o'clock P. M.

VINCENT BIVONA
Chairman

ZONING BOARD OF APPEALS

NOVEMBER 10, 1980

AGENDA:

7:30 p.m. - ROLL CALL -

Motion to accept minutes of October 27, 1980 as written.

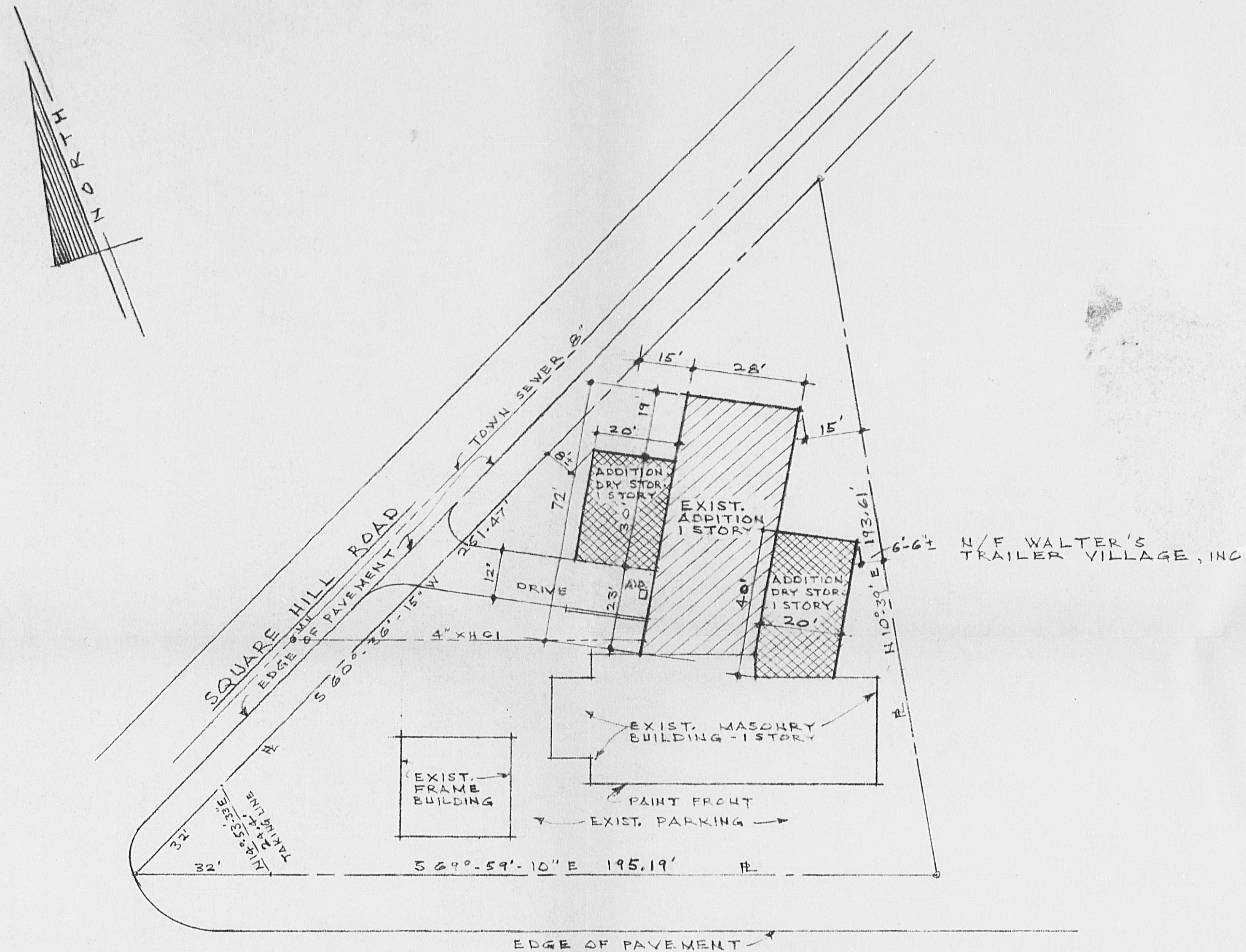
PRELIMINARY MEETINGS:

1. ANGELO SANDS - Request for use variance for warehouse in R4-A zone - Mt. Airy Road. Warehouse not permitted use in residential zone.
2. PEAK TECHNICAL INDUSTRIES - Request for side yard variance of 15 feet to construct additions. Property located at 594 Little Britain Road. Karl Schmidt, President of Iona Industries appearing.
3. JOSEPH PIPIA - Request for special use permit from ZBA for School of Special Instruction. Gymnastics training center to be located at 323 Windsor Highway (formerly Millbrook store).
4. NOME PROPERTIES, INC. - Request for 28 ft. front yard depth for the purposes of constructing two (2) canopies over existing gasoline pumps at 556 Little Britain Road in NC zone (former Palozzo Exxon Station). (40 ft. front yard required.) John Alsfield appearing in behalf of applicant.

SINCE NO PAPERWORK WAS RETURNED TO ME IN A TIMELY FASHION, THERE WILL BE NO PUBLIC HEARINGS SCHEDULED FOR THIS EVENING.

Motion to accept formal decisions in the matter of (1) Maksomski
(2) Antonelli

Patricia
565-8550 (office)
562-7107 (home)



LITTLE BRITAIN ROAD RT. 207

SITE PLAN

SCALE: 1" = 20'

SITE PLAN IS BASED ON A SURVEY BY
CHUMARD & ERIKSON, CONS. ENGINEERS, JUNE 1965

ZONING NC DISTRICT - GROUP BB

ITEM	MINIMUM	HAVE
LOT AREA	15,000.	18,525.
LOT WIDTH	125'	195'
FRONT YARD	40'	EXIST.
SIDE YARD	15'/30'	8' 6" 6"
REAR YARD	15'	23'
HEIGHT	23	12'
PARKING	8 (FOR 2 EMPLOYEES)	9

STORAGE BUILDING ADDITION FOR
IONA INDUSTRIES, INC.

594 LITTLE BRITAIN ROAD, TOWN OF NEW WINDSOR, N.Y.

JAY S. KLEIN - ARCHITECT

11 GARDEN DRIVE, NEW WINDSOR, N.Y.

JAN. 5, 1977 P.N. 110-77A
REV. JAN. 22, 1977: OCT. 29, 1980

A-1